

State of Colorado
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203
Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:
402786760

Date Received:
08/20/2021

FIR RESOLUTION FORM

Overall Status: FRQ

CA Summary:

1 of 1 CAs from the FIR responded to on this Form

0 CA Completed
1 Factual Review Request

OPERATOR INFORMATION

OGCC Operator Number: 10705
Name of Operator: EVERGREEN NATURAL RESOURCES LLC
Address: 1875 LAWRENCE ST STE 1150
City: DENVER State: CO Zip: 80202
Contact Name and Telephone:
Name: _____
Phone: () _____ Fax: () _____
Email: _____

Additional Operator Contact:

Contact Name	Phone	Email
<u>Stacey Wiseman</u>	<u>719-845-4619</u>	<u>Stacey.Wiseman@enrllc.com</u>

COGCC INSPECTION SUMMARY:

FIR Document Number: 690201970
Inspection Date: 08/16/2021 FIR Submit Date: 08/18/2021 FIR Status: _____

Inspected Operator Information:

Company Name: EVERGREEN NATURAL RESOURCES LLC Company Number: 10705
Address: 1875 LAWRENCE ST STE 1150
City: DENVER State: CO Zip: 80202

LOCATION - Location ID: 307864

Location Name: SPRINGER-634S65W Number: 23NENE County: LAS ANIMAS
Qtrqr: NENE Sec: 23 Twp: 34S Range: 65W Meridian: 6
Latitude: 37.073600 Longitude: -104.633940

FACILITY - API Number: 05-071- -00 Facility ID: 258176

Facility Name: SPRINGER Number: 41-23
Qtrqr: NENE Sec: 23 Twp: 34S Range: 65W Meridian: 6
Latitude: 37.073600 Longitude: -104.633940

CORRECTIVE ACTIONS:

1 ☒ CA# 154955

Corrective Action: Install or repair required BMPs per Rule 1002.f.(2) Date: 09/30/2021

Response: FACTUAL REVIEW REQUEST

Basis for Review: Action requested was already completed prior to the inspection

Operator Comment: As evidenced in the pictures provided by COGCC in Field Inspection, Document Number 690201970, the crossing was repaired to ensure wildlife protection, minimal impact to the environment and public safety. ENR reinstalled the crossing using approved BMPs and installation methods with minimal disturbance by using material which would cause less impact to the environment should failure occur again, although this is not

expected to happen. Additionally, as installed, the time and expense to the operator to restore the crossing in the event of another failure would be minimal, again ensuring public safety by being able to access well locations and not having to dispose of the material from the failed crossing with a significant reduction in potential disruption to wildlife habitat. Historically, it has been found that "engineered" crossings have a higher failure rate during significant storm events, leaving large amounts of debris in the stream and blocking access to wells. In the absence of a COGCC rule or guidance mandating a "stamped engineer design plan", ENR feels that the crossing, as installed today, is adequate and meets all requirements as set forth by COGCC Rules and Regulations. This request would cause the operator additional and unnecessary time and expense, as the work has already been completed, is working successfully, and has been approved by the landowner.

COGCC Decision: **Not Approved**

COGCC Representative: Factual Review is not approved. Operator has not conducted the corrective action which is due 9/30/2021. Review Rule 207 regarding corrective action request.

COGCC Supervisor: Factual Review is not approved. Operator has not conducted the corrective action which is due 9/30/2021. Review Rule 207 regarding corrective action request.

OPERATOR COMMENT AND SUBMITTAL

Comment: As evidenced in the pictures provided by COGCC in Field Inspection, Document Number 690201970, the crossing was repaired to ensure wildlife protection, minimal impact to the environment and public safety. ENR reinstalled the crossing using approved BMPs and installation methods with minimal disturbance by using material which would cause less impact to the environment should failure occur again, although this is not expected to happen. Additionally, as installed, the time and expense to the operator to restore the crossing in the event of another failure would be minimal, again ensuring public safety by being able to access well locations and not having to dispose of the material from the failed crossing with a significant reduction in potential disruption to wildlife habitat. Historically, it has been found that "engineered" crossings have a higher failure rate during significant storm events, leaving large amounts of debris in the stream and blocking access to wells. In the absence of a COGCC rule or guidance mandating a "stamped engineer design plan", ENR feels that the crossing, as installed today, is adequate and meets all requirements as set forth by COGCC Rules and Regulations. This request would cause the operator additional and unnecessary time and expense, as the work has already been completed, is working successfully, and has been approved by the landowner.

I hereby certify that the statements made in this form are, to the best of my knowledge, true, correct, and complete.

Print Name: Stacey Wiseman

Signed: _____

Title: Environmental Technician

Date: 8/20/2021 10:33:48 AM

ATTACHMENT LIST

View Attachments in Imaged Documents on COGCC website (<http://ogccweblink.state.co.us/>) - Search by Document Number.

<u>Document Number</u>	<u>Description</u>
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402786760	FIR RESOLUTION SUBMITTED
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Total Attach: 1 Files